

MEMORANDUM

March 31, 1983

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 4/12/82

Z-5991
Lordonie Realty Corp.
264 Beacon Street, Boston
near Exeter Street

Six-story structure

District(s):	apartment <u>H-3-65</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

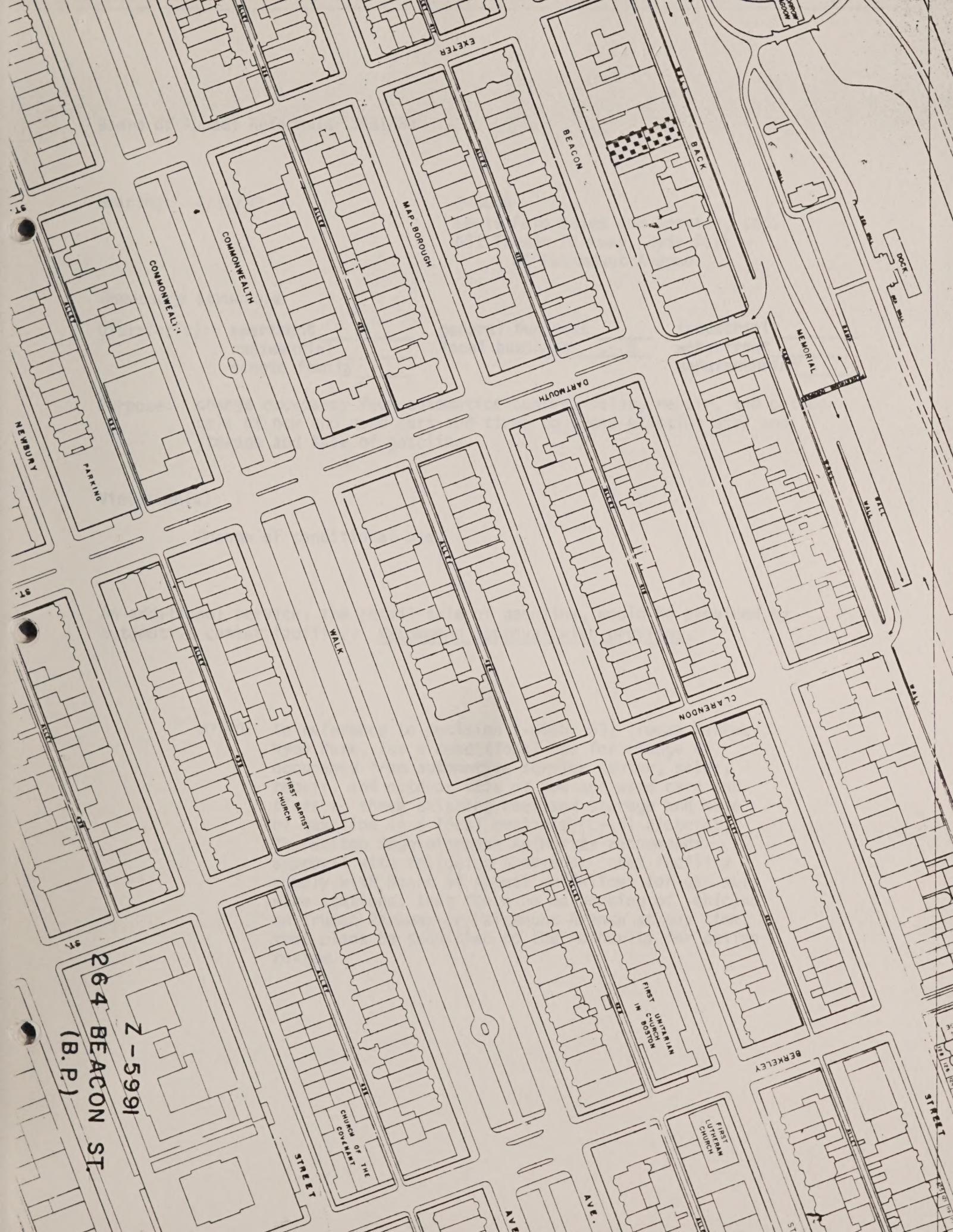
Purpose: change occupancy from 12 apartments and medical offices to
11 apartments, medical offices, and dating service office.

Violation(s):
Section

Dating service office is forbidden use.

Additional office is contrary to City-Authority policy to preserve residential
uses in the downtown residential neighborhoods. Recommend denial.

VOTED: In reference to petition Z-5991, Lordonie Realty
Trust, 264 Beacon Street, Boston, for a forbidden
use for change of occupancy from twelve apartments
and medical offices to eleven apartments, medical
offices, and dating service office in an apartment
(H-3-65) district, the Boston Redevelopment Authority
recommends denial. Additional office is contrary to
City-Authority policy to preserve residential uses in
the downtown residential neighborhoods.



264 BEACON ST.
(B.P.)
Z-5991

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6046

Lewis Auto Sales and Service, Inc.
691 Truman Parkway, Hyde Park
at Fairmount Avenue

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

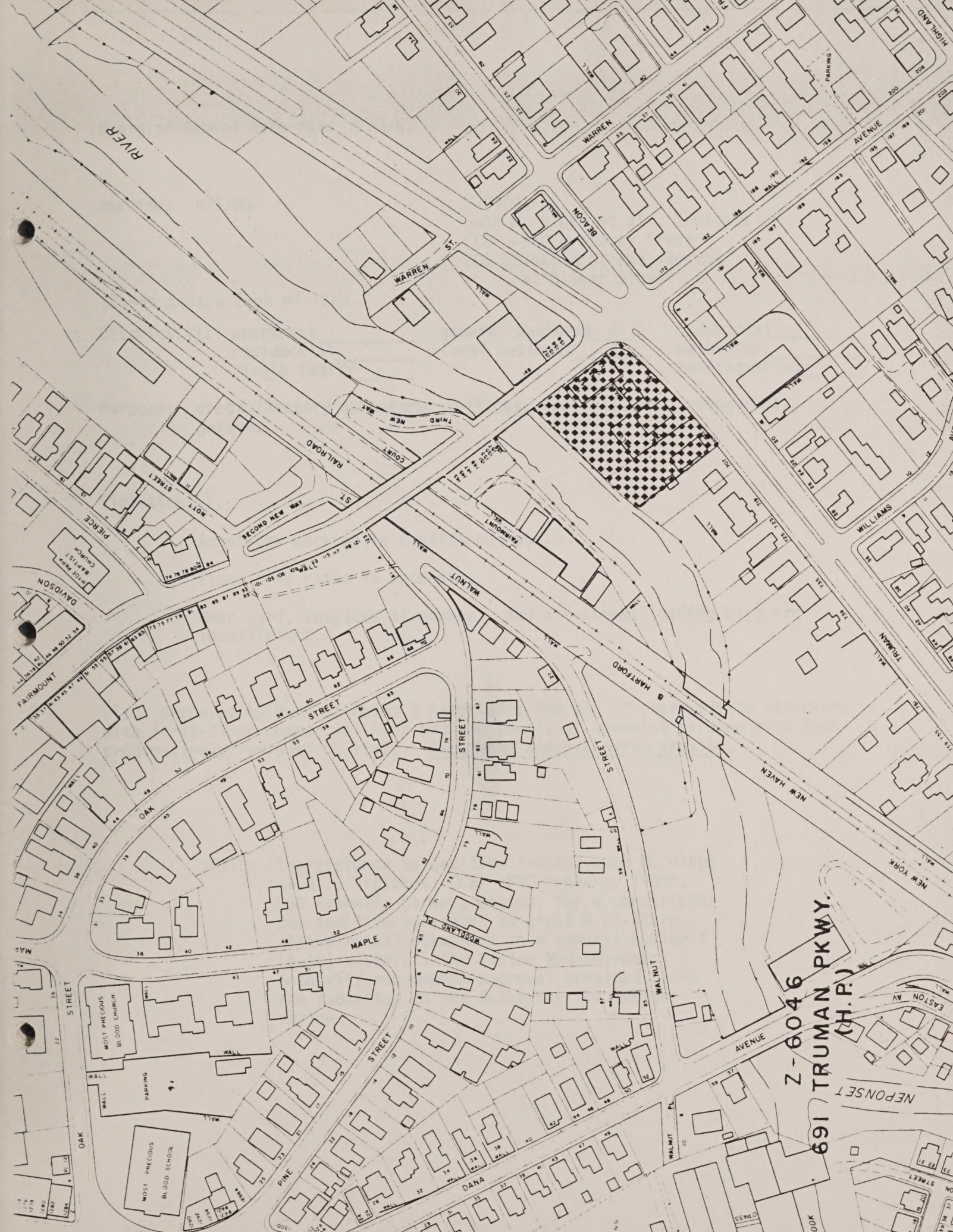
Purpose: change occupancy from automotice center, sales, repair, and outdoor sale of new and used cars and tires to these existing uses and storage and sale of gasoline.

Violation(s):

Change of conditional use.

An additional service, the retail sale of gasoline, would be provided by automotive center facility. Recommend approval with provisos.

VOTED: In reference to petition Z-6046, 691 Truman Parkway, Hyde Park, for a conditional use for change of occupancy from automotive service center, sales, repair, and outdoor sale of new and used cars and tires to these existing uses and storage and sale of gasoline in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with following provisos: that facility comply with Board of Appeal guidelines for gas service stations; that there be no parking of vehicles on Truman Parkway or Fairmount Avenue at any time; that plans be submitted to the Authority for design review.



Z-6046
691 TRUMAN PKWY.
(H.P.)

Board of Appeal Referrals 3/31/83

Hearing: 4/5/83

Z-6070

John M. Hines et al., Trustees of
CC&F - F&O Property Trust
260 Franklin Street, Boston
at Oliver Street

17,446 square feet of land

District(s): apartment _____ general business B-10 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect 23-story structure - offices, retail stores, restaurant,
garage.

Violation(s):

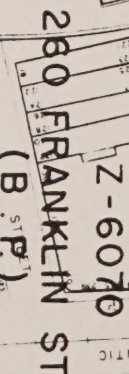
Accessory parking is conditional use.

Floor area ratio is excessive.

Rear yard, setbacks of parapet, and off-street loading bays are
insufficient.

Plans prepared by Hugh Stubbins & Associates for the 23-story office structure
with first-floor commercial uses and two levels of basement parking have been
progressively reviewed by staff. Recommend approval with proviso.

VOTED: In reference to petition Z-6070, John M. Hines
et al., Trustees, CC&F - F&O Property Trust,
260 Franklin Street, Boston, for a conditional
use and five variances to erect a 23-story
office-retail structure in a general business
(B-10) district, the Boston Redevelopment
Authority recommends approval provided plans
are submitted to the Authority for design
review.



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6078
Mylo Housen
249 Newbury Street, Boston
near Fairfield Street

Four-story structure

District(s):	apartment_____	general business B-3-65_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: legalize sign.

Violation(s):

Free-standing sign not allowed in B-3-65 district.

Existing sign indicates "Reynolds-DeWalt" graphic design office. Back Bay Architectural Commission has granted Certificate of Appropriateness.
Recommend approval.

VOTED: In reference to petition Z-6078, Mylo Housen, 249 Newbury Street, Boston, for a conditional use to legalize sign in a general business (B-3-65) district, the Boston Redevelopment Authority recommends approval. Existing sign indicates graphic design office. Back Bay Architectural Commission has granted Certificate of Appropriateness.



249 NEWBURY ST.
(B.P.)
Z-6078

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6088

Warren Garner and Albert Sunderland
456 Centre Street, Jamaica Plain
at Boylston Street

3½-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-.5 waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from one-family dwelling and doctor's office
to four apartments, offices, and stores.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area, width, frontage, open space and off-street parking are
insufficient.

Floor area ratio is excessive.

Structure presently vacant and fire damaged. Proposed conversion is compatible
with residential—local business neighborhood. Abutter response mixed; off-
street parking is concern. Recommend approval with provisos.

VOTED: In reference to petition Z-6088, Warren Garner and
Albert Sunderland, 456 Centre Street, Jamaica Plain,
for a forbidden use and six variances for change of
occupancy from one-family dwelling and doctor's office
to four apartments, offices, and stores in a local
business (L-.5) district, the Boston Redevelopment
Authority recommends approval with the following pro-
visos: that petitioner purchase or lease space to
provide off-street parking; that plans be submitted
to the Authority for design review. Abutters have
expressed concern about off-street parking in this
congested area.



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6097-6098
Gainsborough Realty Trust
56-58 Gainsborough Street, Boston
at St. Stephen Street

3-story and 1-story structures

District(s):	apartment <u>H-3</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: combine buildings; change occupancy from one-family dwelling, three stores, and drug store to restaurant, retail store, and shoe repair.

Violation(s):

Change in nonconforming use.

Community groups want to meet with petitioner to discuss and resolve their concerns. Recommend denial without prejudice.

VOTED: In reference to petitions Z-6097-6098, Gainsborough Realty Trust, 56-58 Gainsborough Street, Boston, for a change in nonconforming use to combine buildings and change occupancy from one-family dwelling, three stores, and drug store to restaurant, retail store, and shoe repair in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial without prejudice. Community groups want to meet with petitioner to discuss and resolve their concerns.



Z-6097-98
56-58 GAINSBOROUGH ST.
(B. P.)

WILLIAM E. CARTER

PLAYGROUND

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6105
Robert D. Lally
90 Braintree Street, Allston
at Penniman Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from freight terminal to office building.

Violation(s):

Change in nonconforming use.

Conversion of fifteen-bay truck terminal to office use will be more compatible with residential-commercial neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-6105, Robert D. Lally, 90 Braintree Street, Allston, for change in non-conforming use for change of occupancy from freight terminal to office building in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6108

Pontian Society Panagia Soumela
587 Albany Street, Boston
near East Canton Street

Three-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing M-2_____

Purpose: change occupancy from one apartment and offices to cultural center, library, auto body repair shop, and storage.

Violation(s):

Private club is conditional use.

Facility is used only on week ends for social activities; its purpose is to preserve the cultural history and tradition of Greek folk dances, costumes, festivals, and foods. First floor of structure is rented to auto repair shop to help meet mortgage obligations. No apparent opposition. Recommend approval.

VOTED: In reference to petition Z-6108, Pontian Society Panagia Soumela, 587 Albany Street, Boston, for a conditional use for change of occupancy from one apartment and offices to cultural center, library, auto body repair shop, and storage in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. Facility is used only on week ends for social activities; its purpose is to preserve the cultural history and tradition of Greek folk dances, costumes, festivals, and foods.



Z-6108

587 ALBANY ST.
(B.P.)

Board of Appeal Referrals 3/16/83, 3/31/83

Hearing: 3/29/83

Z-6109

Eugene Rossman, Trustee, Regal Realty Trust
249-259 A Street, South Boston
at Binford Street

Six-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-4

Purpose: change occupancy from manufacturing to 34 artists' work-residence studios and offices.

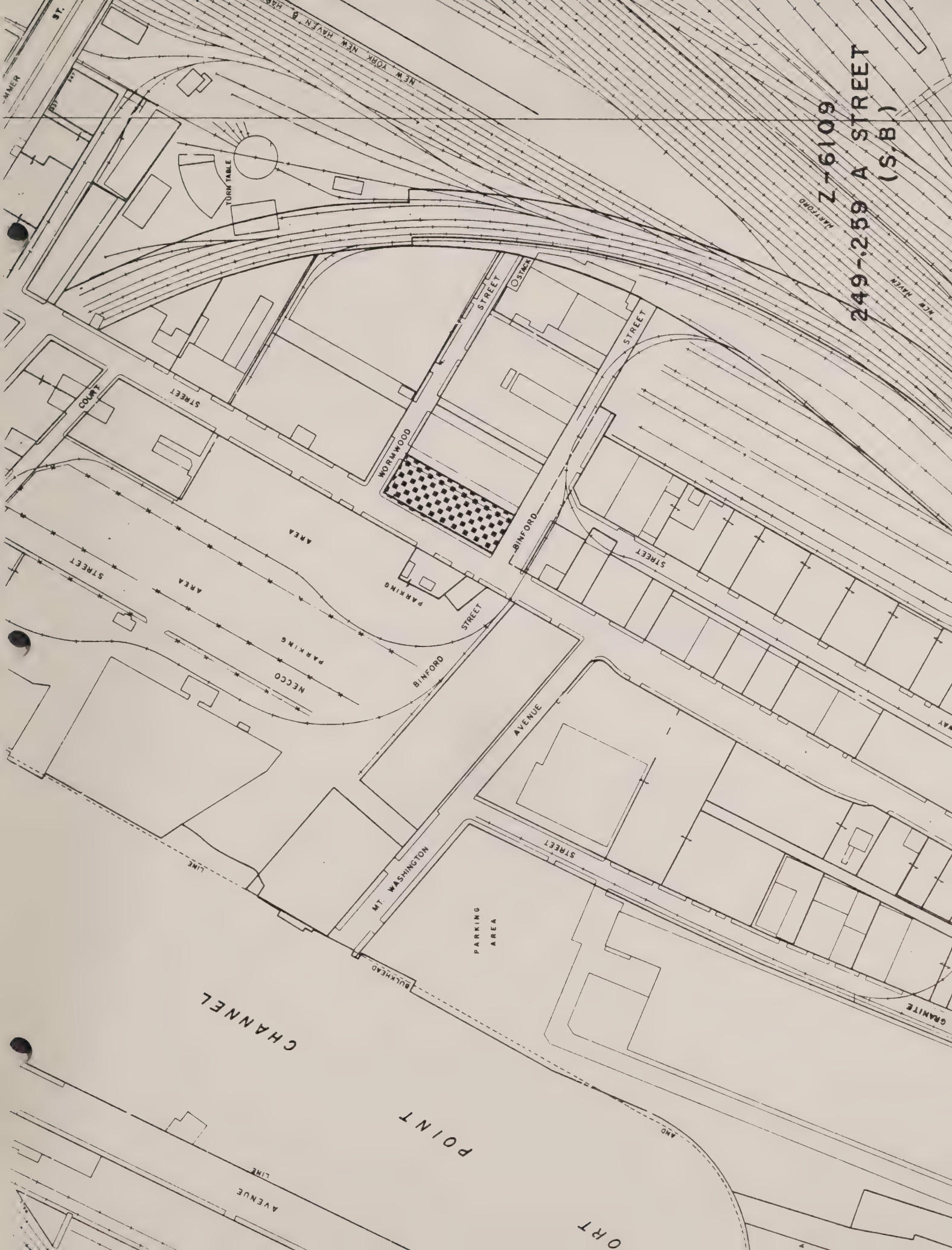
Violation(s):

Multifamily dwelling is conditional use.

Off-street parking is insufficient.

Proposed occupancy of vacant building is consistent with City-Authority planning objectives to provide low cost artists' work-residential space. Similar facility exists in same block. Recommend approval with proviso.

VOTED: In reference to petition Z-6109, Eugene Rossman, Trustee, Regal Realty Trust, 249-259 A Street, South Boston, for a conditional use and a variance for change of occupancy from manufacturing to 34 artists' work-residential studios and offices in a manufacturing (M-4) district, the Boston Redevelopment Authority recommends approval with the following provisos: that occupancy comply with health and safety requirements for residential use; that no more than 25% of space in rental units be used for residential purposes; that plans be submitted to the Authority for design review.



Z-6109
249-259 A STREET
(S.B.)

CHANNEL

POINT

AVENUE

PARKING
AREA

MT. WASHINGTON

BULKHEAD

AVENUE

BINFORD

STREET

PARKING

NECCO

AREA

STREET

COURT

STREET

WORMWOOD

STREET

OSTMAN

STREET

STREET

GRANITE

NEW MAVER

HARTFORD

NEW YORK NEW HAVEN & HARTFORD

TURN TABLE

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6112
Robert A. Webber
40 Harvard Avenue, Allston
near Farrington Street

6,541 square feet of land

District(s): apartment _____ general business B-1 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: use premises for storage of 38 registered vehicles for fee
and rental of cars and trucks.

Violation(s):

Storage of rental vehicles is a conditional use.

Vehicular storage for fee existing since 1970. Rental storage use is
inappropriate, undesirable, and opposed by abutters and community groups.
Recommend denial.

VOTED: In reference to petition Z-6112, Robert A. Webber,
40 Harvard Avenue, Allston for a conditional use for
storage of rental vehicles and rental of cars and
trucks in a general business (B-1) district, the
Boston Redevelopment Authority recommends denial.
Rental storage is inappropriate and undesirable and
is opposed by abutters and community groups.



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40 HARVARD AVE.
(ALLSTON)

CHESTER

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6123

Homa Realty Trust
138 Ipswich Street, Boston
at Lansdowne Street

One-story structure

District(s): apartment _____ general business B-2 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from public garage to laboratory, light assembly, and retail.

Violation(s):

Manufacturing of food extracts is forbidden use.

Accessory warehouse is conditional use.

Proposed use of vacant building involves warehousing of bulk herbs and spices for distribution to grocery and health food stores, laboratory for the making of food grade herbal extracts (no toxic by-products or waste derived from process), bottling and packaging of herb and spice products, retail of herbs and spices to general public. Proposal is compatible with general commercial area. Kenmore Association Licensing Committee supports with proviso indicated in vote. Recommend approval with proviso.

VOTED: In reference to petition Z-6123, Homa Realty Trust, 138 Ipswich Street, Boston, for a forbidden use and a conditional use for change of occupancy from public garage to warehouse, laboratory, light assembly, and retail in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the manufacturing and laboratory processes emit no offensive odors and create no toxic wastes.

TURNPIKE AUTHORITY

TURNPIKE

ALBANY

RAILROAD

SENIOR
STATION
U.S.
POST
OFFICE

SOOWNE

STREET

254V-2

X

1718

INWAY

SQUARE

STREET

IPSWICH

STREET

N. MESS

STREET

IPSWICH

INTERNAL
REVENUE
SERVICE

DRIVE

BOYLSTON

BAY

BACK

FENWAY

STREET

PETERBOROUGH

138 IPSWICH ST

Z-6123

B.P.

LAND
ENTRANCE

WESTLA

INWAY

STREET

BOYLSTON

CHARLES GATE

EAST

BOYLSTON

FRANCISCAN
MISSIONARIES
OF MARY

BOSTON
CONSISTORY
OF MARY

BOSTON
CONSISTORY
OF MARY

TRADE HIGH
SCHOOL
FOR
GIRLS

Board of Appeal Referrals 3/31/83

Hearing: 4/5/83

Z-6126
William Audy
1550 Commonwealth Avenue, Brighton
at Melvin Avenue

Gas service station

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect one-story addition.

Violation(s):

Gas service station is forbidden use.

Rear yard is insufficient.

Addition will be used for auto inspection bay. Abutters have no objection.
Recommend approval with proviso.

VOTED: In reference to petition Z-6126, William Audy,
1550 Commonwealth Avenue, Brighton, for a forbidden
use and a variance to erect a one-story addition to
a gas service station in an apartment (H-1) district,
the Boston Redevelopment Authority recommends
approval provided facility complies with Board of
Appeal guidelines for gas service stations.



Z-6426

1550 COMMONWEALTH AVE.
(BRI.)

Board of Appeal Referrals 3/31/83

Hearing: 4/5/83

Z-6127

The 393 Commonwealth Avenue Trust
393 Commonwealth Avenue, Boston
near Massachusetts Avenue

Four-story structure

District(s): apartment H-3-65 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

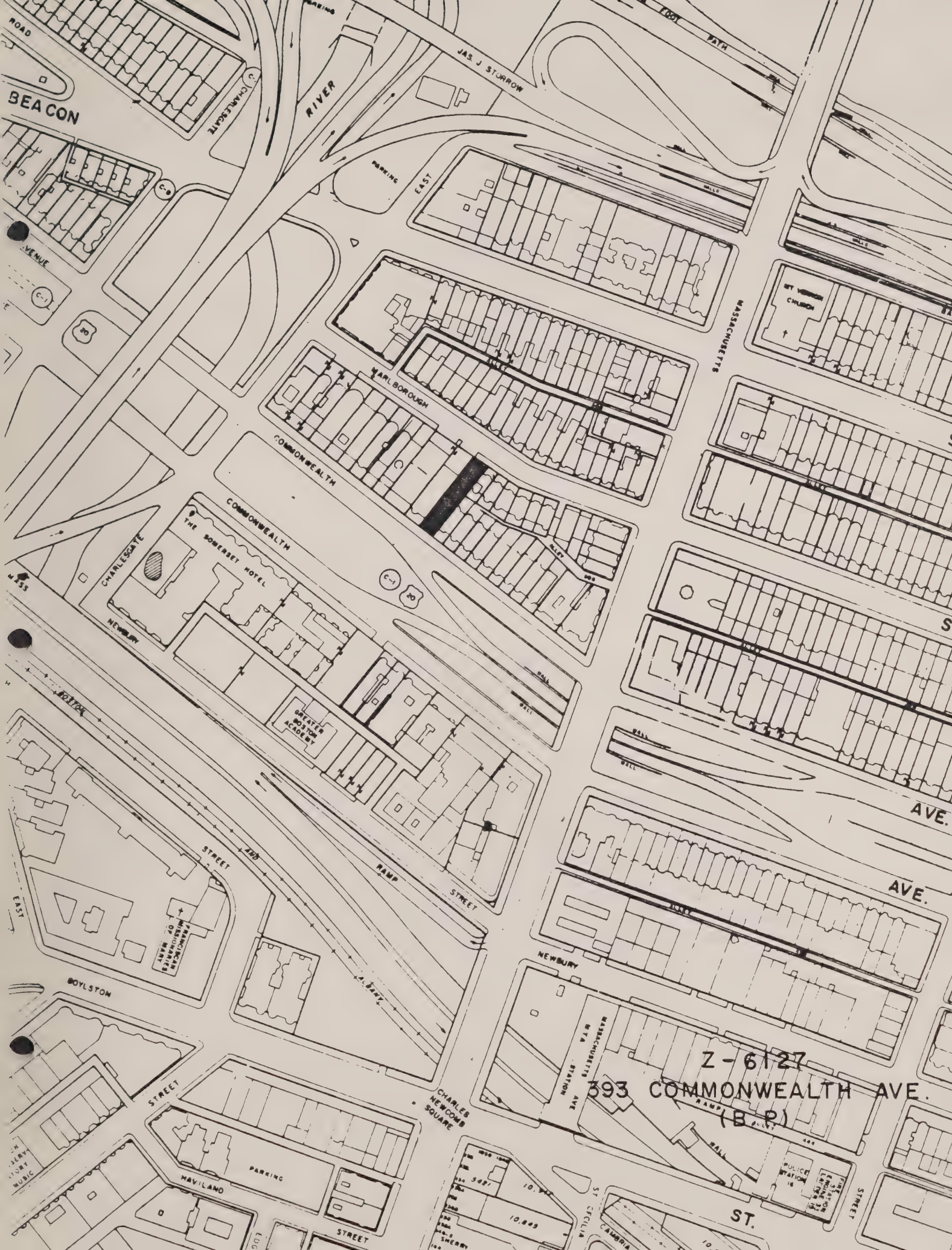
Purpose: change occupancy from professional offices to professional
 offices for advertising.

Violation(s):

Agency office is forbidden use.

In 1981, the Board of Appeal granted approval of a similar petition; Authority had recommended denial. Building should be returned to residential use consistent with the character of the neighborhood and City policy. Zoning and Licensing Committee of the Neighborhood Association of the Back Bay is opposed. Recommend denial.

VOTED: In reference to petition Z-6127, The 393 Commonwealth Avenue Trust, 393 Commonwealth Avenue, Boston, for a forbidden use for change of occupancy from professional offices to professional offices for advertising in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends denial. Building should be returned to residential use consistent with character of the neighborhood and City policy. Zoning and Licensing Committee of the Neighborhood Association of the Back Bay is opposed.



Z-6127
393 COMMONWEALTH AVE.
(B.P.)

Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6129

James R. Powers

4590 Washington Street, Roslindale
near Turtle Pond Parkway

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from gas service station to delicatessen and
coffee shop; erect one-story addition.

Violation(s):

Change in nonconforming use.

Rear yard is insufficient.

Proposal will restore a viable use to structure, which has been vacant
over a year. Ample parking provisions. No objections. Recommend approval.

VOTED: In reference to petition Z-6129, James R. Powers,
4590 Washington Street, Roslindale, for a change
in nonconforming use and a variance for change of
occupancy from gas service station to delicatessen
and coffee shop and erect a one-story addition in
a residential (R-.5) district, the Boston Redevelopment
Authority recommends approval. Proposal will restore
a viable occupancy to structure, which has been vacant
over a year.

4590 WASHINGTON ST.
(R.O.S.)

HIGH POINT VILLAGE

Board of Appeal Referrals 3/31/83

Hearing: 4/5/83

Z-6130
Shaffer Realty Corp
75 Taylor Street, Dorchester
near Water Street

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront W-2
single family _____ manufacturing _____

Purpose: legalize occupancy as warehouse for nonflammable chemicals in drums.

Violation(s):

Change in nonconforming use.

Warehouse would be used for storage of nonflammable chemicals awaiting transfer to other locations. Large portion of chemicals are photographic fluids, remainder being spent and diluted acids and bases. Recommend denial.

VOTED: In reference to petition Z-6130, Shaffer Realty Corp., 75 Taylor Street, Dorchester, for change in nonconforming use to legalize occupancy as warehouse for nonflammable chemicals in drums in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial. Site is located in flood hazard zone adjacent to densely populated Port Norfolk residential neighborhood, which is served by a single access road. Proposal is environmentally damaging, hazardous to the health and safety of residents. Flooding of area could deposit wastes into Neponset River and Dorchester Bay. City of Boston Conservation Commission is extremely concerned. The potential danger of hazardous wastes being transported or stored within the Port Norfolk area presents a serious threat to the community. Port Norfolk Neighborhood Association, Dorchester Fair Share, Boston Harbor Citizens Advisory Committee, and Neponset Conservation Commission are opposed.

Z-6130

75 TAYLOR ST.
(DOR.)



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6131-6136
Shaffer Realty Corp.
77, 79, 95, 105 Taylor Street and
7 Water Street, Dorchester

One-story structures

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____ W-2
	single family_____		manufacturing_____

Purpose: legalize occupancy as: warehouse for paper in bales, accessory testing laboratory, office, paper business, accessory sorting and baling of waste paper, accessory repair and welding shop, accessory vehicle repair, accessory parking of motor vehicles and outdoor storage of dumpsters.

Violation(s):

Change in nonconforming use.

Outdoor storage in dumpsters of refuse materials is forbidden in W-2 district.

Port Norfolk Neighborhood Association is adamantly opposed to proposal.
Concerns are indicated in vote. Recommend denial.

VOTED: In reference to petitions Z-6131-6136, Shaffer Realty Corp., 77, 79, 95, 105 Taylor Street and 7 Water Street, Dorchester, for change in nonconforming use and forbidden use to legalize occupancies in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial. Port Norfolk Neighborhood Association is adamantly opposed to proposal. Concerns are: adverse litter conditions (wind-blown paper products) damaging aesthetic features of neighborhood; improperly functioning air pollution control device (baghouse 95 Taylor Street); dust entering atmosphere from sorting paper bales creating pollution problem; provision of buffer needed. Petitioner should meet with community to alleviate these conditions.

Z-6131-36
77-105 TAYLOR ST.
7 WATER ST.
(DOR.)



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6137

Massachusetts General Hospital
15 North Anderson Street, Boston
at Parkman Street

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-2 waterfront _____
single family _____ manufacturing _____

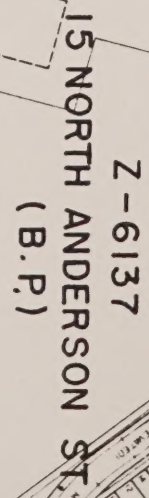
Purpose: combine lots for open air parking for 68 cars.

Violation(s):

Ancillary parking facility is conditional use.

Petitioner proposes to combine lots on North Anderson, Parkman, Blossom, and Cambridge Streets to provide validated parking for patients using hospital's Ambulatory Center. Recommend approval with proviso.

VOTED: In reference to petition Z-6137, Massachusetts General Hospital, 15 North Anderson Street, Boston, for a conditional use to combine lots for open air parking for 68 cars in a local business (L-2) district, the Boston Redevelopment Authority recommends approval provided plans including landscaping are submitted to the Authority for design review.



Board of Appeal Referrals 3/31/83

Hearing: 4/12/83

Z-6148

Mark Devin

43-45 Cowing Street, West Roxbury
near Partridge Street

Vacant land

District(s): apartment _____
residential _____
single family S-.5

general business _____
local business _____

industrial _____
waterfront _____
manufacturing _____

Purpose: erect two-family dwelling.

Violation(s):

Two-family dwelling is forbidden use.

Lot area is insufficient.

Proposal is inconsistent with predominantly single-family neighborhood. Abutters and community are opposed. Blasting for structure foundation is also a concern. Recommend denial.

VOTED: In reference to petition Z-6148, Mark Devin, 43-45 Cowing Street, West Roxbury, for a forbidden use and a variance to erect a two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposal is inconsistent with predominantly single-family neighborhood. Abutters and community are opposed. Blasting for structure foundation is also a concern.



Z-6148

43-45 COWING ST.

(W.R.)